



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1445 ROSS AVENUE, SUITE 1200  
DALLAS, TX 75202-2733

July 2, 1999

**CERTIFIED MAIL 004 765 327 RETURN RECEIPT REQUESTED**

**Mr. Michael D. Owsley**  
**Unit Manager**  
**ASARCO, Inc.**  
**P.O. Box 30200**  
**Amarillo, TX 79120-0200**

**Re: Final ASARCO, Inc. Injection Well No Migration Exemption Reissuance Decision**

**Dear Mr. Owsley:**

Effective the date of this letter, the Environmental Protection Agency (EPA) approves the request for exemption to the land disposal restrictions for the WDW-129 (#1), WDW-273 (#2) and WDW-324 (#3) injection wells at the ASARCO, Inc. (ASARCO), facility in Amarillo, Texas.

The land disposal restrictions prohibit the injection of hazardous waste unless a petitioner can demonstrate to the EPA, to a reasonable degree of certainty, that there will be no migration of hazardous constituents from the injection zone for as long as the wastes remain hazardous. The land disposal restrictions for injection wells codified in 40 CFR Part 148, provide the standards and procedures by which petitions to dispose of an otherwise prohibited waste by injection will be reviewed and by which exemptions pursuant to these petitions will be granted or denied.

A letter dated April 22, 1999, informed ASARCO that the EPA was proposing to approve the ASARCO petition request for an exemption to the land disposal restrictions. The public comment period associated with this decision began on April 26, 1999, and closed on June 10, 1999. No comments were received.

Based on a detailed technical review of the submitted petition and support documents, the EPA has determined that this information for the ASARCO facility meets the requirements of 40 CFR Part 148 by demonstrating no migration of hazardous constituents from the injection zone for 10,000 years.

The following are conditions of this land disposal restrictions exemption:

**Petition Approval Conditions**

The approval to allow injection of restricted hazardous wastes is subject to the following conditions. Noncompliance with any of these conditions is grounds for termination of the exemption in accordance with 40 CFR §148.24(a)(1). This exemption is only for wells WDW-129, WDW-273, and WDW-324.

1. Injection of restricted waste shall be limited to the following intervals for the following wells:

Well No. WDW-129 4050 - 5100 feet BKB

Well No. WDW-273 4050 - 5100 feet BKB

Well No. WDW-324 4050 - 5100 feet BKB

These intervals are in an injection zone occurring at a depth from 2905 - 6700 feet BKB for WDW-129, from 2920 - 6700 feet BKB for WDW-273, and from 2900 - 6900 feet RKB for WDW-324.

2. The cumulative volume injected into WDW-129, plus WDW-273, plus WDW-324 during any given month shall not exceed that calculated by multiplying 300 gpm X 60 minutes per hour X 24 hours per day X the number of days in that month.
3. The facility shall cease injection by July 1, 2009.
4. The characteristics of the injected waste stream shall at all times conform to those of Chapter 6 of the petition reissuance document. The density of the waste stream shall remain within a range of 1.0 to 1.10 gm/cm<sup>3</sup> inclusive, at 68°F and 14.7 psi.
5. The proposed approval for injection is limited to the following hazardous wastes:

D002, D004, D005, D006, D007, D008, D010, D011, F039

6. The facility must petition for approval to inject additional hazardous wastes which are not included in Condition No. 5, above. The facility must also petition for approval to increase the concentration of any waste which would necessitate the recalculation of the limiting concentration reduction factor and the extent of the waste plume. Petition reissuance should be made pursuant to 40 CFR §148.20(e). Petition modifications should be made pursuant to 40 CFR §148.20(f).
7. ASARCO shall annually submit to EPA the results of a bottom hole pressure survey each for WDW-129, WDW-273, and WDW-324. These surveys shall have been performed



after shutting in each well for a period of time sufficient to allow the pressure in the injection interval to reach equilibrium, in accordance with 40 CFR §146.68(e)(1). This annual report should include a comparison of reservoir parameters determined from the falloff tests with parameters used in the approved no migration petition.

8. Upon the expiration, cancellation, reissuance, or modification of the Texas Natural Resource Conservation Commission's Underground Injection Control permit for WDW-129, WDW-273, and WDW-324, this exemption is subject to review. A new demonstration may be required if information shows that the basis for granting the exemption is no longer valid.

In addition to the above conditions, this petition approval is contingent on the validity of the information submitted in the ASARCO petition for an exemption to the land disposal restrictions. This approval is subject to termination when any of the conditions occur which are listed in 40 CFR §148.24, including noncompliance, misrepresentation of relevant facts, or a determination that new information shows that the basis for approval is no longer valid.

If you have any questions or comments, please call Phil Dellinger at (214) 665-7165.

Sincerely yours,

  
William B. Hathaway

Director

Water Quality Protection Division

Enclosures

cc: Connie Bosma, USEPA OGWDW  
Ben Knape, TNRCC